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**UNITED STATES DISTRICT COURT**  
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**DISTRICT OF NEVADA**

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8 UNITED STATES OF AMERICA, )  
9 Plaintiff, )  
10 v. ) 2:13-CR-207-KJD-(CWH)  
11 MATTHEW NICHOLAS, )  
12 Defendant. )

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on October 9, 2013, defendant MATTHEW NICHOLAS pled guilty to  
15 Count One of a One-Count Criminal Indictment charging him in Count One with Unlawful Possession  
16 of a Firearm in violation of Title 18, United States Code, Section 922(g)(1). Criminal Indictment, ECF  
17 No. 1; Change of Plea Minutes, ECF No. 20; Plea Agreement, ECF No. 21.

18 This Court finds defendant MATTHEW NICHOLAS agreed to the forfeiture of the property  
19 set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment. Criminal  
20 Indictment, ECF No. 1; Change of Plea Minutes, ECF No. 20; Plea Agreement, ECF No. 21.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America  
22 has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture  
23 Allegation of the Criminal Indictment and the offense to which defendant pled guilty. Criminal  
24 Indictment, ECF No. 1; Change of Plea Minutes, ECF No. 20; Plea Agreement, ECF No. 21.

25 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section  
26 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 1 a. a Smith and Wesson Pistol, model 4043, .40 caliber, serial number TVC6854;
- 2 b. a Mossberg shotgun, model 500, 12 gauge, serial number U029499;
- 3 c. a Ruger rifle, model 10/22 with Archangel 5.56 22LR; and
- 4 d. any and all ammunition ("property").

5 This Court finds the United States of America is now entitled to, and should, reduce the  
6 aforementioned property to the possession of the United States of America.

7 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
8 United States of America should seize the aforementioned property.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
10 MATTHEW NICHOLAS in the aforementioned property is forfeited and is vested in the United States  
11 of America and shall be safely held by the United States of America until further order of the Court.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
13 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
14 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the  
15 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the  
16 name and contact information for the government attorney to be served with the petition, pursuant to  
17 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
19 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
21 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
22 following address at the time of filing:

23 Michael A. Humphreys  
24 Assistant United States Attorney  
25 Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
Las Vegas, Nevada 89101.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
3 following publication of notice of seizure and intent to administratively forfeit the above-described  
4 property.

5 DATED this 31 day of October 2013.

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9 UNITED STATES DISTRICT JUDGE  
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2                   **PROOF OF SERVICE**  
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5                   I, Ray Southwick, Forfeiture Associates Paralegal, certify that the following individual was  
6 served with a copy of the Preliminary Order of Forfeiture on October 30, 2013, by the below identified  
7 method of service:  
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9                   **CM/ECF**  
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11                   Jason G. Weiner  
12                   Weiner Law Group LLC  
13                   2820 W. Charleston Blvd. Ste. 35  
14                   Las Vegas, NV 89102  
15                   becky@weinerlawnevada.com  
16                   Attorney for Matthew Nicholas  
17

18                   /s/ Ray Southwick  
19                   Ray Southwick  
20                   Forfeiture Support Associates Paralegal  
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